

1
2
3
4
5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

7 THON ALSDORF,

8 *Plaintiff,*

9 vs.

10 ALVAREZ, *et al.*

11 *Defendants.*
12
13

3:11-cv-00547-LRH-WGC

ORDER

14 The parties reached a settlement only as to Count III in the mediation, and the matter now shall
15 proceed forward on the remaining claims.

16 IT THEREFORE IS ORDERED:

17 1. That, per the stipulation of dismissal (#17) filed on September 12, 2012, Count III of the
18 amended complaint (#8) is DISMISSED.

19 2. That, upon the Court's finding that plaintiff is unable to pay a substantial initial partial filing fee,
20 the application (#1) to proceed *in forma pauperis* is GRANTED, subject to the remaining provisions herein.
21 Plaintiff shall not be required to pay an initial partial filing fee. However, even if this action is dismissed, the
22 full \$350.00 filing fee still must be paid pursuant to 28 U.S.C. § 1915(b)(2).

23 3. That plaintiff is permitted to maintain this action to a conclusion without the necessity of
24 prepayment of any additional fees or costs or the giving of security therefor. This order granting *in forma*
25 *pauperis* status shall not extend to the issuance of subpoenas at government expense.

26 4. That, pursuant to 28 U.S.C. § 1915(b)(2), the Nevada Department of Corrections shall pay
27 to the Clerk of the United States District Court, District of Nevada, 20% of the preceding month's deposits
28 to plaintiff's account (in the months that the account exceeds \$10.00) until the full \$350 filing fee has been paid

1 for this action. The Clerk shall **SEND** a copy of this order to the Finance Division of the Clerk's Office. The
2 Clerk shall also **SEND** a copy of this order to the attention of the **Chief of Inmate Services for the Nevada**
3 **Department of Corrections, P.O. Box 7011, Carson City, NV 89702.**

4 5. That the stay previously entered herein is lifted and that, within twenty-one (21) days of entry
5 of this order, the Attorney General's Office shall file a notice advising the Court and plaintiff of: (a) the names
6 of the defendant(s) for whom it accepts service; (b) the names of the defendant(s) for whom it does **not** accept
7 service, **and** (c) the names of the defendant(s) for whom it is filing last-known-address information under seal.
8 As to any of the named defendant(s) for whom the Attorney General's Office cannot accept service, the Office
9 shall file, under seal, the last known address(es) of those defendant(s) for whom it has such information.

10 6. If service cannot be accepted for any of the named defendant(s), plaintiff shall file a motion
11 identifying the unserved defendant(s), requesting issuance of a summons, and specifying a full name for the
12 defendant(s). For the defendant(s) as to which the Attorney General has not provided last-known-address
13 information, plaintiff shall provide the full name **and** address for the defendant(s).

14 7. If the Attorney General accepts service of process for any named defendant(s), such
15 defendant(s) shall file and serve an answer or other response to the remaining claims within sixty (60) days
16 from the date of this order.

17 8. Henceforth, plaintiff shall serve upon defendants' counsel a copy of every pleading, motion
18 or other document submitted for consideration by the Court and shall attach a certificate of such service with
19 the paper submitted. Plaintiff shall direct service to the individual attorney named in the notice of appearance,
20 at the address stated therein. The Court may disregard any paper received by a judge that has not been filed
21 with the Clerk and any paper which fails to include a certificate showing proper service.

22 DATED this 5th day of November, 2012.



23
24
25 LARRY R. HICKS
26 UNITED STATES DISTRICT JUDGE
27
28